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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,569	09/09/2003	George Emanuel	KSY 02655 PTUS	3413
32233	7590	07/12/2007	EXAMINER	
STORM LLP BANK OF AMERICA PLAZA 901 MAIN STREET, SUITE 7100 DALLAS, TX 75202			KIM, CHRISTOPHER S	
		ART UNIT	PAPER NUMBER	
		3752		
		MAIL DATE	DELIVERY MODE	
		07/12/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER

20070702a

DATE MAILED:

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Commissioner for Patents

DETAILED ACTION

1. The reply filed on April 19, 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Amended claims 1-7, 9-11, 14-16, 18-20 and 22-28 and newly presented claims 57 and 58 are drawn to a nonelected invention. The claims are directed to a laser (combination) that includes an iodine injection system. The claims appear to be directed to the non-election invention (Group IV as defined in the Election/Restriction Requirement mailed on October 19, 2005) directed to "a system" as presented in original claims 55 and 56. Election of Group I (subcombination of an iodine injection system) was made without traverse in the reply filed on November 4, 2005. Claim 57 is evidence that the patentability of the combination does not reside in the particulars of the subcombination. The combination as defined by claim 57 does not require an injection strut. The subcombination has separate utility such as for delivering non singlet oxygen.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Kim whose telephone number is (571)

Art Unit: 3752

272-4905. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher S. Kim
Primary Examiner
Art Unit 3752

CK